

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR  
PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,  
*et al.*,

Debtors.<sup>1</sup>

PROMESA  
Title III

Case No. 17-03283 (LTS)

(Jointly Administered)

**PRE-TRIAL INFORMATIVE MOTION REGARDING U.S. BANK'S  
APPEARANCE AT PRE-TRIAL CONFERENCE  
AND HEARING ON CONFIRMATION OF PLAN OF ADJUSTMENT**

U.S. Bank Trust National Association and U.S. Bank National Association (together “U.S. Bank”) hereby submits this informative motion in response to the Court’s *Order Regarding Procedures For Hearing on Confirmation of Plan of Adjustment* [ECF No. 18502] and respectfully states as follows:

1. U.S. Bank has filed two objections to the *Seventh Amended Title III Joint Plan of Reorganization of the Commonwealth of Puerto Rico, et. al.*: (1) *The Objection of U.S. Bank, as Trustee For the Puerto Rico Finance Corporation Bonds, to The Seventh Amended Title III Joint Plan Of Adjustment of the Commonwealth of Puerto Rico, et al.*[ECF No. 18631]; and (2) *The Limited Objection of U.S. Bank as Trustee For PRIFA Bonds And Fiscal Agent For PBA Bonds To*

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<sup>1</sup> The Debtors in the jointly-administered Title III cases, along with each Debtor’s respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (iv) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19 BK 5523-LTS) (Last Four Digits of Federal Tax ID: 3801)

*The Seventh Amended Title III Joint Plan of Adjustment of The Commonwealth of Puerto Rico, et al,* [ECF No. 18634] and (together the “Confirmation Objections”). The Confirmation Objections also contain objections to the proposed form of Confirmation Order.

2. Ronald J. Silverman and Pieter Van Tol from the New York, New York office of Hogan Lovells US LLP will appear telephonically on behalf of U.S. Bank, at both the pre-trial conference scheduled for November 1, 2021 and the Confirmation Hearing.

3. U.S. Bank intends to present argument on its Confirmation Objections, as necessary, during the Confirmation Hearing, and reserves the right to be heard on any matter raised by any party at the Confirmation Hearing related to the Title III cases, or any adversary proceeding pending in the Title III Cases, or affecting the interests of U.S. Bank.

4. U.S. Bank intends to participate in Opening Argument and requests that it is provided reserved time to make such arguments.

5. U.S. Bank does not intend to conduct any cross-examination based on the testimony in the declarations that have been submitted as of this date. U.S. Bank reserves the right to cross-examine witnesses based on any amended declarations or to the extent a declarant testifies to matters outside of the scope of a declaration.

**RESPECTFULLY SUBMITTED**, in San Juan, Puerto Rico, this 27th day of October, 2021.

**WE HEREBY CERTIFY** that on this same date a true and exact copy of this motion was filed with the Clerk of Court using the CM/ECF system, which will notify a copy to counsel of record. Also, a copy of this document will be served via electronic mail or U.S. mail to all case participants

Dated: October 27, 2021

By: /s/ Eric A. Tulla \_\_\_\_\_

**RIVERA, TULLA AND FERRER, LLC**

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*Counsel to U.S. Bank Trust National Association and U.S. Bank National Association*

**CERTIFICATE OF SERVICE**

I hereby certify that this 27th day of October 2021 I filed this document electronically with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to all parties of record in the captioned case.

San Juan, Puerto Rico

By: Iris J. Cabrera-Gomez

Iris J. Cabrera-Gomez

**EXHIBIT A**  
**PARTY APPEARANCE SHEET**

Name of Party	U.S. Bank Trust National Association and U.S. Bank National Association
Party Name Abbreviation (For Use with Zoom)	U.S. Bank
Omnibus Hearing Participant  Attorney(s) Representing Party (provide the listed information for each attorney who may appear for the Party): <ul style="list-style-type: none"><li>• Name,</li><li>• Email,</li><li>• Law Firm,</li><li>• Phone Number and</li><li>• Docket Entry No. for the Attorney's Notice of Appearance</li></ul> or  Individual Party-in-interest Not Represented by Counsel: <ul style="list-style-type: none"><li>• Name, Email, Phone Number, Proof of Claim Number (if any)</li></ul>	Ronald J. Silverman, Esq. Hogan Lovells US LLP 390 Madison Avenue New York, NY 10017 Telephone: (212) 918-3000 Facsimile: (212) 918-3100 ronald.silverman@hoganlovells.com  Docket Entry No. 12176
Plan Objection Docket Entry No.	18631, 18634
Witness List Docket Entry No.	N/A
Exhibit List Docket Entry No.	18841
Other Statement Docket Entry No	N/A
If a Party files a supplemental Party Appearance Sheet, the Party must include the Docket Entry No. of the original appearance sheet in the new filing which must be clearly marked as a "Supplemental" Party Appearance	
<p><b>Note:</b> Pursuant to the Hearing Procedures Order ¶ 2, the Financial Oversight and Management Board for Puerto Rico and the Puerto Rico Fiscal Agency and Financial Advisory Authority shall each be limited to 4 attorneys appearing in the Zoom session at any given time, and each other party-in-interest shall be limited to 2 attorneys at any given time.</p>	

**EXHIBIT A**  
**PARTY APPEARANCE SHEET**

Name of Party	U.S. Bank Trust National Association and U.S. Bank National Association
Party Name Abbreviation (For Use with Zoom)	U.S. Bank
Omnibus Hearing Participant  Attorney(s) Representing Party (provide the listed information for each attorney who may appear for the Party): <ul style="list-style-type: none"><li>• Name,</li><li>• Email,</li><li>• Law Firm,</li><li>• Phone Number and</li><li>• Docket Entry No. for the Attorney's Notice of Appearance</li></ul> or  Individual Party-in-interest Not Represented by Counsel: <ul style="list-style-type: none"><li>• Name, Email, Phone Number, Proof of Claim Number (if any)</li></ul>	Pieter Van Tol, Esq. Hogan Lovells US LLP 390 Madison Avenue New York, NY 10017 Telephone: (212) 918-3000 Facsimile: (212) 918-3100 pieter.vantol@hoganlovells.com  Docket Entry No. 276
Plan Objection Docket Entry No.	18631, 18634
Witness List Docket Entry No.	N/A
Exhibit List Docket Entry No.	18841
Other Statement Docket Entry No	N/A
If a Party files a supplemental Party Appearance Sheet, the Party must include the Docket Entry No. of the original appearance sheet in the new filing which must be clearly marked as a "Supplemental" Party Appearance	
<p><b>Note:</b> Pursuant to the Hearing Procedures Order ¶ 2, the Financial Oversight and Management Board for Puerto Rico and the Puerto Rico Fiscal Agency and Financial Advisory Authority shall each be limited to 4 attorneys appearing in the Zoom session at any given time, and each other party-in-interest shall be limited to 2 attorneys at any given time.</p>	

**EXHIBIT C**  
**PARTY EXHIBIT COVER SHEET**

Name of Party		U.S. Bank Trust National Association and U.S. Bank National Association
Does the Party intend to offer evidence?		Yes
Total Number of Exhibits Offered by the Party		21
Exhibit Identifier	Docket Entry No.	Description of Exhibit
USB A	18841	Certified Copy of the Trust Agreement between PFC and the U.S. Bank as Trustee
USB B	18841	PFC 2011 Promissory Notes
USB C	18841	PFC 2012 Promissory Notes
USB D	18841	Series 2011 A PFC Bonds Letter of Credit
USB E	18841	Series 2011 B PFC Bonds Letter of Credit
USB F	18841	Series 2012 A PFC Bonds Letter of Credit
USB G	18841	Arts. 2-3 of Act 164 of December 17, 2001, 7 L.P.R.A. §§ 607a-607b
USB H	18841	Act 85 of June 13, 1998
USB I	18841	Joint Resolution 523 of August 24, 2000
USB J	18841	Act 113 of September 27, 1994
USB K	18841	Act No. 21 of 2016, the Debt Moratorium Act
USB L	18841	Executive Order 2016-31
USB M	18841	Executive Order 2016-30
USB N	18841	Settlement Agreement and Invoice Instructions, entered into between AAFAF and U.S. Bank, dated December 21, 2018 <sup>2</sup>

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<sup>2</sup> Full production of this document may be limited due to confidentiality requirements of the settlement agreement.

USB O	18841	Proof of Claim filed by U.S. Bank as Trustee for the PFC Bonds, dated May 18, 2018
USB P	18841	Government Development Bank Title VI Solicitation Statement and Qualified Modification
USB Q	18841	Trust Agreement between Puerto Rico Infrastructure Financing Authority with Citibank, dated October 1, 1988
USB R	18841	Puerto Rico Public Buildings Authority Resolution No. 468, Adopted June 22, 1995
USB S	18841	Proof of Claim filed by U.S. Bank as Successor Trustee for the PRIFA Bonds, dated May 18, 2018
USB T	18841	Proof of Claim filed by U.S. Bank as Fiscal Agent for the PBA Bonds, dated June 27, 2018
USB U	18841	Proof of Claim filed by U.S. Bank as Fiscal Agent for the PBA Bonds, dated July 29, 2020
*If a Party files a supplemental Exhibit Cover Sheet, the Party must include the Docket Entry No. of the original exhibit cover sheet in the new filing which must be clearly marked as a "Supplemental" Exhibit Cover Sheet filing.		
Pursuant to Bankruptcy Local Rule 9037-1(a), parties and counsel are solely responsible for redacting the personal identifiers enumerated in Fed. R. Bank. P. 9037(a).		
I, Ronald J. Silverman and I, Pieter Van Tol certify that I have filed each evidentiary document listed above, or the required placeholder therefore, as a separate exhibit as part of U.S Bank's Amended Exhibit List per the Court's <i>Order Regarding Confirmation Hearing Exhibit Procedures</i> (ECF No. 18749).		

